

Michigan Water Resources Conservation Advisory Council
March 6, 2009, Meeting Summary

The Friday March 6, 2009, WRCAC Meeting was held in the Department of Conservation Conference Room on the 7th floor of the Mason Building at 530 West Allegan in Lansing Michigan from 10 to 3.

Council members in attendance were Jon Allan, Sumedh Bahl, Dr. Bryan Burroughs, James Clift, Jon Coleman, Jo Latimore, Peter Manning, Timothy Neumann, Scott Piggott, Frank Ruswick, Dr. Paul Seelbach, and Paul Zugger.

Absent members were Frank Ettawageshik, Michael Gregg, Craig Hoffman, Mark Lemons, Michael Newman, Richard Slevatz, Dr. Pat Soranno, Bob Walther, and Samuel Wendling.

Guests present were Abby Eaton, Brant Fisher, Pat Fouchey, Fred Goldberg, Dave Hamilton, Jim Nicholas, Patty O'Donnell, and Marc Smith.

Welcome – Review of minutes – Review of agenda and goals for the day

James Clift welcomed everyone. All present were asked to introduce themselves. James Clift welcomed new member Paul Zugger who is replacing Donna Stine. Paul Zugger gave a short history of his background.

The Draft Summary of February 6 WRCAC Meeting.doc was approved as written. It will be posted on the www.michigan.gov/wrcac as the representation of what happened at the February 6, 2009 WRCAC Meeting.

The agenda, copies of the *Evaluation of Accuracy and Operation of the Water Withdrawal Assessment Tool (Screening Tool) 1st Draft Report*, and lunch order forms were available at the entrance table.

James Clift reviewed the agenda. Dave Hamilton requested a section on Cold Transitional Rivers in Michigan be added before Paul Seelbach reviews the *Evaluation of Accuracy and Operation of the Water Withdrawal Assessment Tool (Screening Tool) 1st Draft Report*.

Subcommittee updates

From 10:15 till 10:55 the subcommittees gave their reports.

Impacts on Lakes + +

Since Subcommittee Chair Pat Soranno was unable to attend this meeting, Jo Latimore gave a progress report on the Impacts on Lakes ++ subcommittee activity. The subcommittee plans to meet on a monthly basis in preparation for the August Report. The next meeting will be on Friday March 27 from 1 – 3 at the MUCC Conference Room. The subcommittee is turning their attention to the component of the report where we will have to argue one way or the other for whether the existing evaluation process is likely to be protective for other water bodies and in what capacity. The subcommittee is also summarizing the ecological literature available that pertains to (1) the effects of groundwater withdrawal on lakes and wetlands and (2) the identification of candidate metrics for assessing ARI's on these water bodies.

Law Conflict

Chair Peter Manning said there has been no meetings yet. There are 4 members on this committee. They plan to caucus briefly today.

The Conservation Committee

Chair Scott Piggott said the committee met on February 26. They have a draft report. It was distributed to all present. It was titled: *WRCAC Sub-committee Report on Michigan/Compact Conservation & Efficiency Programs Water Resources Conservation Advisory Council March 6, 2009*. Scott Piggott asked each council member to review and give comments by March 20. The document will be sent electronically to all members so revisions can be made.

There is no meeting date set yet.

Preventative Measures Committee

Chair Bryan Burroughs said there has been no formal meeting. The committee members have talked. Planning to have a meeting the second week of April.

Educational Materials Committee

Chair Jon Coleman was unexpectedly called out of town for 2 weeks, so had no meeting. Will have one in March. Have been speaking with Ruth Kline-Roback.

Test and Evaluation of Assessment Tool Subcommittee

Paul Seelbach was unable to be at the morning session of the meeting so Dave Hamilton gave a report. He said working on layers. Done with face map; what feeds into tool itself. Not a lot of changes. Do expect a few more changes. Errors that were found have been corrected.

A meeting will be held Friday March 20 at 9:30 in Constitution Hall hosted by Dave Hamilton. The briefing will answer technical questions that members of the modeling community have. This will be a very technical meeting geared toward technical experts who have specific questions regarding the Water Withdrawal Assessment Tool.

Training people to take low flow measurements

Dave Hamilton said the USGS will do the training. It is still in the set-up stage. DEQ personnel will go through the training. It will be a multiply day training with follow-up sessions. The second group will be DNR personnel, followed by organizations.

How to reply to reporters

It was decided that a Q&A be packaged. Scott Piggott agreed to format the Q&A. It will be reviewed and approved in April then posted on the (www.michigan.gov/wrcac) webpage.

Effect of FY 10 budget on program administration

From 11:50 till 12:15 the projected fiscal year 2010 budgets for DEQ, Ag, and DNR were discussed.

DEQ

Frank Ruswick said at this time due to budget allotments we (DEQ) do not expect to be able to do all the statute calls for. DEQ will prioritize. The highest priority is permitting and authorizing – the steps needed to complete permit applications. Can the Department do it in the timeframe the statute calls for – unsure. The Department agreed that the process is doable given we (DEQ) would have the resources to do the job.

Another priority would be site specific reviews. Again a 10 day turn around, I'm not sure if DEQ will be able to complete all within allotted time frame.

Another issue is if someone files a contested case petition. That can be disruptive. The Department must work on the petition if one happens.

Big curve thrown into this. MDA also has same pressure. MDA will no longer collect water use from Ag users. DEQ will be doing it.

Another part of program is notifying specific parties and local government officials. Hopeful will be able to provide support for water user committees. There are two types of committees: the water user committee and the watershed committee. To what extent will we have resources. Not sure.

A committee within the Department has been working on generic conservation measures. Looking at posting in draft form. Would have liked to go out and do workshops. Not able to do that. Will use this draft for feedback. There is not much guidance on this so looking at common solutions.

Compliance and enforcement is another duty. What will the Department be able to do? Not sure. We like to have a balanced program. Authorization, Compliance & Enforcement, and Community Outreach - Water User Groups is our three legged stool. When program lacks funding, the authorization leg is the priority.

Frank Ruswick said the Department is looking at another problem. The Legislation requires a web-based program. Frank Ruswick said looking at another problem. The Legislation requires a web-based program. A couple questions with regards to reporting water use and paying the water use fee through a web-based application was asked water users when they reported their water use. Two questions asked were 1) Would you (the water user) be willing to report water use through a web-based application? Approximately 50% of the respondents said they would be willing to report water use through a web-based application. 2) Would you be willing to pay your water use fee over the web? The yes dropped to only 20% willing to pay over the web. Brent Fish said the point to be made is that a web-based application for registration, reporting and payment does not totally eliminate the need for a "paper program" in the foreseeable future.

Ag

Mike Gregg said in this fiscal year of 2009 funding will be cut. Abbey Eaton is 100% funded by an allotment that will be cut. Abby Eaton works on compliance assistance to get proper reporting. Ag is 50 – 60% of the total withdrawal use. Ag has only been collecting water use data since 2003. Compliance has gone up. #1 because of no fees and then because of the educational information going out. Have spoken with DEQ, Ag will complete this year's reporting cycle that ends April 1, 2009.

As long as not a fee based program Abby Eaton feels reporting would be as high as 70% on the web. Abby Eaton said because don't have follow up time; she knows some bad data is out there. Corrections can't be made if not given time to look into.

Paul Zugger asked if the Council was going to discuss budget in general. Do you think we should have a subgroup on budget / data quality? James Clift asked if Paul Zugger would form that subcommittee. Scott Piggott said we as a council can make some suggestions. Jon Allan said that money is just not there. Do we want to prioritize? James Clift restated the question: does the council want to make a subcommittee. Jon Allan feels they should. Paul Zugger, Abby Eaton, Frank Ruswick & James Clift agreed to make up the Budget subcommittee.

DNR

Paul Seelbach said DNR has not been affected because DNR is funded through fishing licenses. At this time not a direct cut back. The fishing fund does get smaller but no one has said this program will be cut.

Cold Transitional Rivers in Michigan

Dave Hamilton said: "Is it possible to withdrawal too much water in an upstream cold river to cause an ARI Down stream? Yes." There are about 40 locations throughout the state. Almost all have tributaries upstream that have higher ARI's than downstream.

Jon Allan asked how this was flagged. Dave Hamilton said it was a concern brought forward by the public. They asked the question if an upstream withdrawal would affect downstream. Dave Hamilton looked into it.

Dave Hamilton asked the question: How to address this issue. He said: To solve problem would have tool look upstream. If there is a possibility to cause an ARI the tool would flag it.

Review WRCAC Tool Evaluation Report - 1st Draft 1:25 – 2:50 Paul Seelbach

A copy of *Evaluation of Accuracy and Operation of the Water Withdrawal Assessment Tool (Screening Tool) Submitted by the Michigan Water Resources Conservation Advisory Council to the Michigan Legislature – April 9, 2009 1st Draft Report* was distributed to those who didn't have a copy.

Paul Seelbach said this report is due by April 9, 2009. From 1:25 to 2:50 the Council reviewed and discussed the 1st Draft Report section by section. Paul Seelbach said the Council has one more meeting to review. Looking for feedback between now and then.

2:45 - 3:00 New items & comments

FYI - *A Premier International Meeting on Aquatic Ecology* - Dr. Alan Steinman who is the program committee chair for the NABS 57th Meeting in Grand Rapids on May 17 – 22, 2009, invites all interested parties to attend. Dr Steinman would also like to invite those who need lodging to stay at the Grand Valley State University Dorms. More information can be found on our website: www.michigan.gov/wrcac

Next Meeting

April 3, 2009, at Prael College Center Building Room #1230 of the Mott Community College - Flint from 10:00 to 3:00. The Michigan Potato Association (Bob Walther) will host meeting.

Future Meetings

May 1 in Cadillac area hosted by Tim Neumann.

June 5 at Drummond Island hosted by Craig Hoffman with a 9:00 start.

July 10 in Kalamazoo area hosted by Mark Lemon.

August 7 at Constitution Hall in Lansing Michigan.

FYI: Report due August 9

In August will discuss if a September meeting is needed.